




**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Van Armstrong, Project Manager
Planning Department

From: Mark A. Novak, ASLA, Chief Park Planner, Facilities Planning and Development 

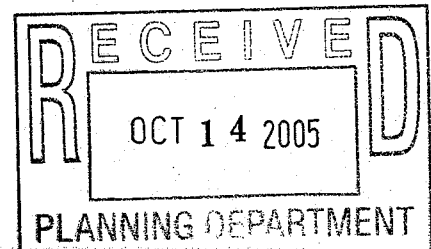
CC: Diane Ryburn, Director
Bruce McGranahan, Division Manager, Facilities Planning and Development
Su Webb, Park Board, Chairman
Jim Bonfils, Park Board, Dulles District

Date: October 12, 2005

Subject: ⁰⁴ ZMAP ⁰⁴ 2005-0024, ⁰⁴ SPEX 2005-0041 Brambleton Brandt Property

Election District: Dulles **Sub Planning Area:** Dulles

MCPI # 201-28-2115



BACKGROUND:

The property is located on the in the northwest quadrant of the planned intersection of Route 659 Relocated and Evergreen Mills Road (Route 621). The Property consists of approximately 94 acres within the Dulles Community of the Suburban Policy Area located in the Dulles Election District. The Property is currently zoned R-1 (Single Family Residential) and PD-GI (Planned Development-General Industrial). The applicant proposes to develop in the northern portion of the Property approximately 238 single-family attached and single-family detached dwelling units (market rate and ADU's). The Applicant also plans to develop a compact retail center and assisted living facility south of the planned alignment of Route 621 Relocated. To support this program, the Applicant seeks to rezone the northern portion and a small section of the southern portion of the Property from R-1 and PD-GI to PD-H4 (Planned Development Housing-4, to be administered as R-8) and rezone the remainder of the southern portion of the Property to PD-CC(CC) (Planned Development-Commercial Center (Community Center). The Property is to be developed in conformance with the density and land use policy recommendations of the Suburban Policy Area of the Revised General Plan. The Applicant is also requesting the approval of multiple special exceptions for the purpose of developing a small commercial center, composed of three drive-thru restaurants facilities, a

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service station with gas pumps and an ancillary car wash, a pharmacy and assisted living facility. The Applicant is also requesting a number of zoning modifications; In addition, the Applicant is seeking the following zoning modifications; R-8 District Size, 50 acre maximum be eliminated to permit approximately 78-acre PD-H district, administered as R-8; R-8 District Maximum Building Height, 35 foot maximum height be modified to allow for building heights of up to 40 feet for dwellings and up to 50 feet for the assisted living facility; R-8 District Road Setback, minimum setback of 25 feet from right-of-way other than arterial and collector roads be reduced to 15 feet; R-8 District Private Street, roads being served by single-family detached be designed and constructed to private street standards; Buffer and Screening, buffer requirements between land uses internal to the subject development be eliminated; PD-CC District Perimeter Yard, allow for buildings, parking, outdoor storage, and areas of collection of refuse or loading to be closer than 100 feet to planned residential districts; PD-CC District Perimeter Yard, allow for buildings, parking, outdoor storage, and loading areas closer than 35 feet to other non-residential districts; PD-CC District Buffer, elimination of requirement to buffer the perimeter of a lot or parcel between adult care facility and the service/retail uses; PD-CC District Vehicular Access, permit vehicular access from community center to Route 621 relocated, major collector; PD-CC District Open Space, permit non-residential open space adjacent to Landbay G be use for credit towards minimum landscaped open space requirement; R-8 District Lot Coverage for Assisted Living Facility, permit lot coverage for adult care/assisted living facility in excess of 60 percent; R-8 District Maximum Unit for Assisted Living Facility, permit more than 8 units in the assisted living facility building; R-8 District Buffering, elimination of the 50-foot buffer requirement along eastern edge of Property adjacent to Route 659 Relocated.

POLICY:

The site is governed under the land use policies in the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located within the Dulles Community within the Suburban Policy Area. The Planned Land Use Map adopted with the Revised General Plan designates the northern portion of the Property as residential and the southern portion of the site Light Industrial Uses.

PROJECT ANALYSIS:

The development proposed in the northern portion of the Property will consist of approximately 238 single-family attached and single-family detached dwelling units. The development will transition from single-family detached units in the northwest corner of the Property to single-family detached units in the southern and

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southwestern portions of the Property. The Applicant seeks to create a meaningful transition both from higher density development in the south and east to lower density development in the south and west. In addition to the significant and attractive amenities designed for the benefit of the Brambleton community, such as walking and biking trails, swimming pools and kite parks, active recreation and open space will be provided and civic/public spaces and uses will be located both on-site and in the vicinity of the Property.

The non-residential development proposed in the portion of the Property south of the East-west connector will consist of 26,700 square feet of various retail and supportive service uses and a 60,000 square foot assisted living facility.

COMMENTS:

With respect to Parks, Recreation and Community Services we offer the following comments and recommendations:

1. No proffers were submitted with this application. Please provide proffers for review.
2. PRCS is encouraged and supportive of the Applicants vision and offer to evaluate proffering meaningful upgrades at Brambleton Community Park. Under the original Brambleton rezoning application (ZMAP 1993-0005), the Applicant (Brambleton Land Corporation) proffered to dedicated approximately twenty-four (24) acres for a Community Park which was to include, two (2) football fields, one (1) soccer field, four (4) softball fields and two (2) baseball fields. However, the Applicant under the proffer is only required to graded, seed and provide goal post and /or backstop and home plate, according to the type of fields. Parking, lighting, irrigation, fencing (baseball, softball outfields and perimeter/site), bleachers, restrooms, concession, storage facilities and utilities are not included in the original proffer and therefore, become the responsibility of the County to provide. The Park is on schedule to be dedicated to the County late fall of 2006; however, without at least parking and fencing, it will not be accessible to the public. PRCS is available to meet with the Applicant and Planning Department to discuss and evaluate the necessary improvements that benefit and completes the facilities for public use.
3. This project adds 238 single-family detached and single-family attached dwelling units and offers no contribution to public recreation. The Applicant should demonstrate to staff, the Planning Commission, and the

Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in the Dulles north area.

4. Clarify what recreational amenities and opportunities are being provided for the residents of this development. This development should provide recreational facilities (passive and active), parks, and trails for its own residents within walking distance of this neighborhood. Provide more detail as to uses and facilities proposed to meet the recreational and civic needs of this community.
5. The Loudoun County Bicycle and Pedestrian mobility Master Plan (BPMMP), Walkway and Sidewalk Policies, 2 (a); "*Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet***". PRCS recommends that all internal sidewalks be a minimum of 5 feet. It is important to recognize that providing a wider width for sidewalks does not necessarily add to the safety of sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian speeds and maneuverability and are not compatible with for higher speed bicycle use.
6. Under the Land Development Policies (Chapter 4) of the Countywide Bicycle and Pedestrian Mobility Master Plan. (B.6), .."All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community";...(B.7) "All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments." The applicant should demonstrate to staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to adjacent developments are being met.
7. Please clarify on sheet 7 of 10 the proposed eight (8) foot trail. The legend depicts the trail as a solid line however; it is unclear where the trail is located on the concept plan. The same is true for the proposed sidewalk.

8. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. We recommend that any substantial "tree save" area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.
9. Please show on the Concept Development Plan the approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed. Zoning Map Amendment Application Checklist of Minimum Requirements, (K.4).
10. Please provide more information on the PD-H4 parcel of land along future Route 659 Relocated and the Property.

RECOMMENDATIONS:

PRCS has identified above, several outstanding issues that require more information to complete the review of this application. At this time PRCS can not support this application for approval.

Please contact me personally if I can be of further assistance. I'm available and look forward to attend any meetings or sessions to offer our support or to be notified of any further information regarding this project. I can be reached at 703-737-8992.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Michael Elabarger, Project Manager, Planning Department (**MSC #62**)
From: Brian G. Fuller, Park Planner, Facilities Planning and Development (**MSC #78**)
Through: Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Park Board, Chairman
Jim Bonfils, Park Board, Dulles District

Date: March 13, 2007

Subject: ZMAP 2005-0024 / SPEX 2005-0041 Brambleton – Brandt Property
2nd Submission
Election District: Dulles **Sub Planning Area:** Dulles
MCPI # 201-28-2115

BACKGROUND:

The property is located on the in the northwest quadrant of the planned intersection of Route 659 Relocated and Evergreen Mills Road (Route 621). The Property consists of approximately 94 acres within the Dulles Community of the Suburban Policy Area located in the Dulles Election District. The Property is currently zoned R-1 (Single Family Residential) and PD-GI (Planned Development-General Industrial). The applicant proposes to develop in the northern portion of the Property approximately 238 single-family attached and single-family detached dwelling units (market rate and ADUs). The Applicant also plans to develop a compact retail center south of the planned alignment of Route 621 Relocated. The Applicant seeks to create a meaningful transition both from higher density development in the south and east to lower density development in the north and west. In addition to the significant and attractive amenities designed for the benefit of the Brambleton community, such as walking and biking trails, swimming pools and kite parks, active recreation and open space will be provided and civic/public spaces and uses will be located both on-site and in the vicinity of the Property. The non-residential development proposed in the portion of the Property south of the East-West Connector road will consist of 26,700 square feet of various retail and supportive service uses.

PRCS Staff has also been working in coordination with the Proffer Referral Team, through Daniel Csizmar, Capital Facilities Planner. While PRCS is supportive of the Proffer Referral Team response, PRCS wants to make the Applicant aware that the following comments are in direct response to the previous PRCS-specific issues raised and addressed during the 1st submission.

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COMMENTS:

With respect to Parks, Recreation and Community Services we offer the following comments and recommendations:

Comment 1: No proffers were submitted with this application. Please provide proffers for review.

Applicant Response: Acknowledged. A proffer statement is forthcoming.

Issue Status: Resolved.

Comment 2: PRCS is encouraged and supportive of the Applicants vision and offer to evaluate proffering meaningful upgrades at Brambleton Community Park. Under the original Brambleton rezoning application (ZMAP 1993-0005), the Applicant (Brambleton Land Corporation) proffered to dedicate approximately twenty-four (24) acres for a Community Park, which was to include, two (2) football fields, one (1) soccer field, four (4) softball fields and two (2) baseball fields. However, the Applicant under the proffer is only required to graded, seed and provide goal post and /or backstop and home plate, according to the type of fields. Parking, lighting, irrigation, fencing (baseball, softball outfields and perimeter/site), bleachers, restrooms, concession, storage facilities and utilities are not included in the original proffer and therefore, become the responsibility of the County to provide. The Park is on schedule to be dedicated to the County late fall of 2006; however, without at least parking and fencing, it will not be accessible to the public. PRCS is available to meet with the Applicant and Planning Department to discuss and evaluate the necessary improvements that benefit and completes the facilities for public use.

Applicant Response: The Brambleton Regional Park was dedicated in connection with ZMAP 1993-0005. As discussed with representatives from County Staff, including member of Parks and Recreation Staff, the Applicant will seek to have any capital facilities contributions generated by the application applied to the Brambleton Transportation Improvement Fund for the construction of Loudoun County Parkway and related transportation improvements. Applicant is happy to discuss the application of some portion of any excess funds to the further improvement of the park.

Issue Status: Acknowledged. However, PRCS is aware that the capital contributions to Loudoun County Parkway are tied to the other three Brambleton ZMAP applications. Should the applications not be considered jointly, then the Applicant will need to provide adequate contributions to other capital facilities, specifically Brambleton Community Park.

Comment 3: This project adds 238 single-family detached and single-family attached dwelling units and offers no contribution to public recreation. The Applicant should demonstrate to staff, the Planning Commission, and the Board of Supervisors how the

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recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in the Dulles north area.

Applicant Response: At built-out, the Brambleton community will more than adequately serve the recreational and leisure benefits of Brambleton residents and County residents. In addition to the Brambleton Regional Park site and related ancillary fields dedicated in connection with the rezoning of the Brambleton community and in addition to the fields and recreational facilities that will be provided in connection with three elementary school sites and one high school site dedicated by Brambleton, the Brambleton community will provide at least three (3) community centers (including pools), four (4) tennis courts, four (4) multi-purpose courts, seven (7) tot lots, three (3) soccer fields, three (3) softball fields, miles of trail network, countless pocket parks and open space, and one (1) golf course at build-out. As such, the Brambleton community can more than adequately provide for the residents of this 236 unit development.

Applicant respectfully submits that the recreational and leisure needs of these residents can be met without taxing the existing public recreational facilities in the vicinity of the Property.

Issue Status: Acknowledged.

Comment 4: Clarify what recreational amenities and opportunities are being provided for the residents of this development. This development should provide recreational facilities (passive and active), parks, and trails for its own residents within walking distance of this neighborhood. Provide more detail as to uses and facilities proposed to meet the recreational and civic needs of this community.

Applicant Response: Sheets 3, 4, 7 and 8 of the revised CDP illustrate perimeter buffers and natural open space in addition to active and passive open space. Applicant proposes to incorporate the existing floodplain, riparian buffers, and wetland areas into the project. Applicant also proposes 10.7% of the proposed residential development be dedicated for useable public/civic space in the form of a community tot lot near the northern boundary of the Property and a community play area at the southeast corner of the proposed residential development. Proposed sidewalks and a recreation trail will provide pedestrian connectivity between land bays. The development will also include linkages to the Brambleton community trail network.

Issue Status: Resolved.

Comment 5: The Loudoun County Bicycle and Pedestrian mobility Master Plan (BPMMP), Walkway and Sidewalk Policies, 2 (a); "Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet**. PRCS recommends that all internal sidewalks be a minimum of 5 feet. It is important to recognize that providing a wider width for sidewalks does not necessarily add to the safety of

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sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian speeds and maneuverability and are not compatible with for higher speed bicycle use.

Applicant Response: Updated information regarding sidewalks, trails, and crosswalks have been provided on Sheet 8 of the Revised CDP. Applicant agrees to provide internal sidewalks of at least 5 feet in width and to incorporate the proposed 8 foot multi-purpose trail into the larger Brambleton community trail network.

Issue Status: Resolved.

Comment 6: Under the Land Development Policies (Chapter 4) of the Countywide Bicycle and Pedestrian Mobility Master Plan. (B.6), “All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community”;...(B.7) “All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments.” The applicant should demonstrate to staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to adjacent developments are being met.

Applicant Response: Updated information regarding sidewalks, trails, and crosswalks have been provided on Sheet 8 of the Revised CDP to include proposed pedestrian connections and means for connectivity with surrounding neighborhoods.

Issue Status: Resolved.

Comment 7: Please clarify on Sheet 7 of 10 the proposed eight (8) foot trail. The legend depicts the trail as a solid line however; it is unclear where the trail is located on the concept plan. The same is true for the proposed sidewalk.

Applicant Response: Updated information regarding sidewalks, trails, and crosswalks have been provided on Sheet 8 of the Revised CDP.

Issue Status: Resolved.

Comment 8: PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community’s residents. We recommend that any substantial “tree save” area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and

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attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.

Applicant Response: Possible tree save areas are so noted on Sheet 7 of the Revised CDP to include existing vegetation along the minor floodplain.

Issue Status: Acknowledged.

Comment 9: Please show on the Concept Development Plan the approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed, per the Zoning Map Amendment Application Checklist of Minimum Requirements, (K.4).

Applicant Response: Acknowledged. Sheet 7 of the Revised CDP illustrates approximate locations of possible stormwater management / best management practice area. Further details regarding specific stormwater management techniques will be provided upon submission of a final site plan.

Issue Status: Resolved.

Comment 10: Please provide more information on the PD-H4 parcel of land along future Route 659 Relocated and the Property.

Applicant Response: See the Revised Statement of Justification and Revised CDP included with this submission.

Issue Status: Resolved.

CONCLUSION:

PRCS offers no objection to the application approval based on the material provided. If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

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County of Loudoun
Department of Planning
MEMORANDUM

DATE: September 22, 2005

TO: Van Armstrong, AICP, Program Manager
Land Use Review

FROM: Pat Giglio, Planner
Community Planning

SUBJECT: ZMAP 2004-0024 and SPEX 2004-0041 Brambleton Brandt Property

BACKGROUND

The applicant, Brambleton Group, LLC, requests approval to rezone approximately 94 acres of land from R-1 (Single Family Residential) and PD-GI (Planned Development-General Industrial) to PD-H4 (Planned Development Housing) and PD-CC(CC) (Planned Development-Commercial Center). The subject site, known as the Brandt Property is located west of Route 659 Relocated (Belmont Ridge Road Relocated) and existing Route 621 (Evergreen Mills Road) and is largely surrounded by the Brambleton Development. The land to the north and east of the subject site has been approved for future residential development, the land to the south is planned for industrial uses and the land to the southeast is approved for industrial park uses, office uses, retail uses and a fire and rescue station as part of the Brambleton Development. The southern portion of the subject site will be bisected by the proposed alignment of the East-West Connector (Route 621), which forms the approximate boundaries between the Residential and Industrial planned land use areas of the property (Revised General Plan, Planned Land Use Map, p. 7-23).

The applicant proposes to rezone 81.36 acres of the property north of the proposed alignment of the East-West Connector (Route 621) to PD-H4 to develop 113 single-family detached homes and 125 single-family attached homes (including 30 ADUs) at an overall density of 2.9 dwelling units per acre. The applicant proposes to rezone 13.68 acres of the property south of the alignment of the East-West Connector (Route 621) to PD-CC(CC) to develop three drive through restaurants (two 4,500 sq. ft. each and one 3,800 sq. ft.), a service station with gas pumps and car wash (2,200 sq. ft.), pharmacy (11,700 sq. ft.) and an assisted living facility (60,000 sq. ft.). The drive through restaurants and service station are permitted by Special Exception in the proposed PD-CC(CC) zoning district. The assisted living facility is permitted by Special Exception in the proposed PD-H4 zoning district.

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A review of County GIS records identified two unnamed tributaries of Broad Run on the subject property, a small intermittent stream flows southeast just inside the northern boundary of the subject site and a larger stream feed by a farm pond flows southeast the southern portion of the property. A forested riparian buffer and hydric soils were identified in proximity to both of the streams. Minor floodplain is also located on either side of the larger stream on the southern portion of the property. The remainder of subject site is occupied by open fields used as pastures and sod fields.

A review of the submitted Phase I archaeological survey did not identify any archaeological sites on the subject property and no additional archaeological investigations of the subject site were recommended. Staff notes that the entire site is either located within the 65, Ldn, 60 Ldn or 60 Ldn 1 mile buffer areas of the airport noise contours of Washington Dulles International Airport.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is governed under the policies of the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located in the Dulles Community within the Suburban Policy Area. The Revised General Plan identifies the subject site as suitable for Residential and General Industrial uses (Revised General Plan, Planned Land Use Map, p. 7-23).

ANALYSIS

A. LAND USE

1. General Industrial

The Plan envisions General Industrial uses on the approximately 13 acre southern portion of the subject property which is located within the 65 Ldn and 60 Ldn areas of the airport noise contours, south of the proposed alignment of the East-West Connector (Route 621). The East-West Connector (Route 621) serves as a physical barrier which separates and buffers the General Industrial planned land use area from the Residential planned land uses area on the north side of the road (Revised General Plan, Planned Land Use Map, p. 7-23). The General Industrial portion of the property is bordered on the south by the Northern Virginia Electrical Co-Op Brambleton Substation which is also zoned PD-IP (Planned Development-Industrial) and located in a General Industrial planned land use area.

The applicant proposes the construction of three drive through restaurants, a service station with gas pumps and car wash, a pharmacy and an assisted living facility on the General Industrial planned land use area south of the proposed alignment of the East-West Connector (Route 621) on the subject property. These proposed commercial retail and institutional uses are not consistent with the planned General Industrial land use designation for the area. General Industrial uses are "predominantly labor-intensive industrial and commercial uses" that may have outdoor storage requirements, generate noise levels, odors and emissions that make them incompatible with residential and other business uses (Revised General Plan, text, pp. 6-30 & 6-31). The Plan does allow for a small percentage of light industrial development within a general industrial

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use area (Revised General Plan, Policy 5, p. 6-31). Light industrial includes flex/warehouse, small scale manufacturing which are compatible with office commercial and residential uses (Revised General Plan, table, p. 6-33).

Staff finds that the Plan does not support the proposed commercial retail and institutional (assisted living facility) land uses proposed for the southern portion of the subject site which is planned for General Industrial uses. Staff does not support the Special Exception request to allow these uses on the property.

2. Residential

New residential neighborhoods in the Suburban Policy Area are permitted to develop at densities up to 4.0 dwelling units per acre, depending on the availability of adequate roads, utilities, and the provision of a full complement of public services and facilities (Revised General Plan, Policy 1, p. 6-17). The applicant proposes to rezone 81.36 acres of the property north of the proposed alignment of the East-West Connector (Route 621) to PD-H4 to develop 113 single-family detached homes and 125 single-family attached homes (including 30 ADUs) at an overall density of approximately 2.9 dwelling units per acre. The proposed residential development features single family attached homes on the northern portion of the property and transitions into single family detached houses on the southern portion of the property.

Staff finds that the proposed residential use of the northern portion of the subject property is consistent with the density and land use called for in the Revised General Plan. The proposed residential development is compatible with the densities and development patterns of the surrounding Brambleton Development.

3. Public & Civic

The Revised General Plan states that large residential developments will have a mix of residential and non-residential uses to create a balanced sustainable community. Plan policies state that residential neighborhoods greater than 50 acres will incorporate public and civic space at a minimum of 10% of the gross acreage of the property (Revised General Plan, Policy 8, p. 6-7 and Policy 2, p. 6-17). Civic uses, as defined in the Revised General Plan, are "public or quasi-public institutional uses... and typically include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses" (Revised General Plan, Glossary, p. G-2).

The submitted Concept Development Plan (CDP) does not provide sufficient detail to determine if civic or public land uses are proposed within the development. Civic uses in residential areas are intended to provide meeting places for residents and serve as a landmark for the community (Revised General Plan, Policy 4d, p. 6-18 and Design Guidelines, p. 11-7). An appropriate civic use for this site might be a church, community center, or clubhouse in association with recreation uses.

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Staff recommends that a minimum of 10% of the project area be provided for useable public/civic space that is located in a prominent site within the development per Plan policy.

4. Public Parks and Open Space

Open space is a critical component of a healthy, vibrant community (Revised General Plan, text, p. 6-9). The "outdoor rooms" of a community play a critical role in establishing community identity and facilitating social activities (Revised General Plan, Design Guidelines, p. 11-6). Plan policies state that residential neighborhoods will incorporate public parks and open space at a minimum of 30% of the gross acreage of the property (Revised General Plan, Policy 2, p. 6-17). All dwelling units should have an open space area located within 1500 feet (Revised General Plan, Policy 4, p. 6-10). The open space should consist of a hierarchical assortment of greens and squares located out the neighborhood, and are open to the surrounding streets in order to contribute to a sense of spaciousness (Revised General Plan, Design Guidelines, p. 11-6). The greens and squares should function as design elements and gathering places for the community, and should be located in high visibility areas.

The open space that is provided in residential neighborhoods should be mixed, and include active and passive and/or natural open space as appropriate to the site (Revised General Plan, Policy 1, p. 6-10). Active recreation includes ballfields, tennis or basketball courts, swimming pools, tot lots, golf courses, dog parks, and other areas for recreational sports or games. Passive open space consists of community greens and squares, hiking trails, bicycle and pedestrian trails, and picnic areas. While natural open space is land maintained in a mostly undeveloped state (Revised General Plan, Policy 1, p. 6-10).

The submitted Concept Development Plan (CDP) indicates that the proposed development will incorporate 31.58 acres of open space, however, only a small area in the northern portion of the property, which appears to be located in the rear yards of the proposed residential lots, has been designate as "open space" on the CDP (sheet 7). A series of trails, wooded areas and community parks are depicted on the submitted illustratives (sheets 4 & 4A) which may have been used in developing the open space calculations for the site but were not designated on the CDP. Staff recognizes the applicant's attempt to retain some design flexibility by not providing details on the CDP, but without a commitment to such details it is impossible to determine if the proposed development will fulfill the Policy objectives and Design Guidelines of the Revised General Plan pertaining to open space.

Staff requests specific detail regarding the location and types of parks and open space uses proposed for the development and that the location of these areas be clearly depicted on the CDP to ensure that the proposed development is in conformance with Plan policies. Staff suggests the applicant use the following categories as specified in the Plan to identify and provide calculations for the proposed open space: Perimeter Buffers, Natural Open Space (i.e. floodplain,

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riparian buffers etc.), Passive Open Space (i.e. community greens, picnic area and trails) and Active Open Space (i.e. tot lots, play grounds, and athletic fields).

B. EXISTING CONDITIONS

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of the site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

Elements of the countywide Green Infrastructure can be found on the subject site, including streams, natural drainage ways, minor floodplain, hydric soils, forest cover, riparian forests and specimen trees. Detailed Plan guidance on the treatment of individual Green Infrastructure elements is outlined in the following sections.

1. River and Stream Corridor Resources

The Plan places a priority on the protection of rivers, streams and wetlands; the retention of natural riparian forests and vegetation; and the preservation, buffering, and implementation of performance standards and best management practices as part of a larger water protection strategy. The Plan also calls for the protection of surface water and groundwater resources from contamination and pollution to prevent the degradation of water quality in the watersheds (Revised General Plan, text, p. 5-12). The County encourages new developments to incorporate low impact development (LID) techniques which integrate hydrologically functional designs that minimize the volume of surface water run-off and reduces pollutants to better protect the integrity of receiving streams" (Revised General Plan, Policy 17, p. 5-18). The use of bio-retention filter areas, landscaped drainage buffers and other LID techniques to dissipate, filter and treat stormwater on site are encouraged by the County.

The subject site contains two unnamed tributaries of Broad Run, a small intermittent stream flows southeast just inside the northern boundary of the subject site and a larger stream feed by a farm pond flows southeast the southern portion of the property. The stream in southern portion of the property contains minor floodplain and is surrounded by a forested riparian buffer. Located in conjunction with both of these streams are areas of hydric soils, which can be indicators of surface water saturation, runoff and low infiltration rates (Revised General Plan, text, p. 5-12).

The submitted Concept Development Plan (CDP) does not depict or acknowledge the existence of the intermittent stream in the northern portion of the property, nor does the plan provide any details regarding the stormwater management system proposed for the site. The submitted CDP depicts the boundaries of the minor floodplain associated with the stream on the southern portion of the property, but does not include the 50-foot management buffer. The Plan calls for the creation of a 50-foot management buffer surrounding the floodplain to protect the river and stream corridor resources, provide an

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area of filtration from upland disturbances and protect the water quality of the receiving stream (Revised General Plan Policy 4, p.5-6). The submitted CDP should be revised to correctly depict the extent of the minor floodplain and 50-foot management buffer for the proposed development to assess the impacts on the river and stream corridor resources on the subject site. The submitted CDP depicts streets, parking and building lots located within the 50-foot management buffer. Should a reduction in the management buffer be desired, additional information demonstrating that the proposed development will not adversely impact other river and stream corridor resources and that applicable performance standards are met (Revised General Plan Policy 5, p.5-6). Additionally the realignment of Evergreen Mills Road and the creation of the East-West Connector (Route 621) will necessitate the construction of a new stream crossing which will further impact the river and stream corridor resources on the subject site. The design of the proposed stream crossing should utilize a submerged box culvert or con-span to maintain the natural hydrologic function of the stream and to minimize impacts on the river and stream corridor resources.

The submitted CDP does not provide any details regarding the protection of the existing river and stream corridor resources on the site or how the proposed stormwater management system will be integrated into the overall design of the site. In general the proposed development will alter the existing land form, impact river and stream corridor resources, change the natural hydrological function of the site, and require the creation of a manmade stormwater management system. Specific site development details pertaining to the protection of existing river and stream corridor resources and the function of the proposed stormwater management system should be provided.

Staff, recommends that the project be designed around and incorporate the existing river and stream corridor resources and that a detailed stormwater management program be provided. Staff recommends that a 50-foot management buffer be located outside the limits of the floodplain to protect the river and stream corridor resources. Staff recommends that bio-retention filter areas, landscaped drainage buffers and other low impact development techniques be employed on the subject site to dissipate, filter and treat surface water runoff on site. Staff recommends that the proposed stream crossing be designed to minimize impacts on the existing stream channel.

Further coordination between staff and the applicant are recommended to achieve policy goals regarding the protection of river and stream corridor resources and stormwater management on the site. Additional detailed information regarding the design and function of the proposed stormwater management system is requested. Staff welcomes a meeting with the applicant to discuss these issues.

2. Forests, Trees, and Vegetation

A key element of good environmental design is the integration of existing trees and vegetation into the design of new developments. The County's forests and trees improve air and water quality, offer important habitat for birds, small mammals and

other wildlife, and are excellent buffers between communities. Forests and trees conserve energy by providing shade and evaporative cooling transpiration. They also redirect airflow and reduce wind speed, stormwater runoff, and soil erosion (Revised General Plan, text, p. 5-32).

The Revised General Plan states that the submittal and approval of a forest management or tree conservation plan will be required prior to any land development. This plan will demonstrate a management strategy that ensures the long-term sustainability of any designated tree save areas (Revised General Plan, Policy 3, p. 5-32). A forest management plan submitted as part of the application identified the forested riparian buffer adjoining the stream on the southern portion of the property as a suggested conservation area. The forested riparian buffer adjoins the floodplain and is in an area which is not planned for development as identified on the CDP. Several large specimen trees occupy a hedgerow on the southwestern boundary of the property which have identified on the CDP. The northern portion of the property is occupied by a new growth forest with trees averaging between 55 to 75 years of age. A large portion of the new growth forest will be removed as part of the development and no details have been provided regarding the incorporation of the existing trees into the proposed design.

Staff recommends that as much existing vegetation and trees as possible be incorporated into the design of the site. Staff requests that individual tree save and tree save areas be clearly delineated on the proposed CDP. Staff recommends commitment to the long-term maintenance of the tree save areas.

3. Lighting

The Plan states that the "beauty of the County's night sky is threatened by excessive and improper lighting" (Revised General Plan, text, p. 5-42). The Lighting and Night Sky policies of the Revised General Plan promote the "use of lighting for convenience and safety without nuisance associated with light pollution (Revised General Plan, Policy 1, p. 5-42). The submitted Statement of Justification and materials do not include any details regarding street lighting for the proposed residential and retail development.

Staff recommends the applicant commit to shielding all proposed exterior lights to eliminate glare and light trespass.

4. Historic Resources

Plan policies recommend that "an archaeological and historical resources survey be submitted as part of all land development applications" (Revised General Plan, Policy 11, p. 5-35). A Phase I archaeological survey of the site was completed in December 2003. The survey consisted of surface reconnaissance and shovel testing of the subject site. The consultant's report did not identify any previously unrecorded historic archaeological sites on the subject property, no additional archaeological investigations of the subject site were recommended.

Based on the consultant's recommendations and staff's review of the survey report, no further archeological investigations were recommended.

5. Airport Noise

The southern third of the subject site is located within the Ldn 60 and 65 areas of the airport noise contours of Washington Dulles International Airport, while the remainder of the property is located within the Ldn 60 1 mile buffer area. Plan policies state that the County will require a full disclosure statement for all new residential dwelling units to be constructed within the Ldn 60-65 aircraft noise contours and Ldn 60 1 mile buffer area. The disclosure statement will make known in writing to all prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise. Such notification should be included in all sales contracts, brochures, and promotional documents, including the Illustrative Site Plan on display within any sales related office, as well as in homeowners' association documents, and all subdivision and site plans, and within all Deeds of conveyance (Revised General Plan, Policy 6 & 7, p. 5-46).

The applicant should commit to incorporate acoustical treatment into all dwelling units within the Ldn 60-65 airport noise contours to ensure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed a sound level of 45 db(A). Additionally the applicant should proffer the dedication of aviation easement to the Metropolitan Washington Airports Authority (Revised General Plan, Policy 7, p. 5-46).

Staff recommends the applicant commit to disclosure of noise contours per Plan policy notions on the plats and proffer language. Staff defers this issue to the Zoning Division of the Department of Building and Development to ensure conformance with the requirements of Section 4-1400 of the 1993 Revised Zoning Ordinance.

6. Road Noise Impacts

The subject site will be bordered on the west by Route 659 Relocated (Belmont Ridge Road Relocated) and is bisected by Route 621 Relocated (East-West Connector) which are planned as major collector roads. "The County will require that all land development applications that propose land uses adjacent to any of the existing and/or proposed arterial and major collector roads will be designed to ensure that no residential or other type(s) of noise-sensitive use(s) will have traffic noise impacts which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria on the Noise Abatement Criteria (NAC) Hourly A-weighted Sound Levels table, or when predicted traffic noise levels substantially exceed existing noise levels. To determine the predicted highway noise levels and to assess noise impacts at a particular location, a land development applicant will be required to use the latest version of the Federal Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108, as amended). The design year noise level will be understood to be the probable traffic volume for said facilities at a time of ten to twenty years from the start of construction" (Revised General Plan, Policy 1, p. 5-46).

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No traffic noise assessment or analysis data has been submitted.

Staff requests that the applicant submit a traffic noise assessment in compliance with the latest version of the Federal Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108, as amended), per the policies of the Revised General Plan. Staff also recommends that the applicant provide commitments to any proposed noise mitigation measures or illustrate design changes necessary to comply with noise standards.

C. DESIGN GUIDELINES FOR RESIDENTIAL DEVELOPMENT

The Revised General Plan states "that residential neighborhoods should have a variety of housing types and lot sizes, and they are to be developed in accordance with design guidelines and performance standards for efficient site layout, a pedestrian-friendly scale, adequate open space (active, passive, and natural), and the protection and incorporation of the Green Infrastructure" (Revised General Plan, text, p. 6-17). The Revised General Plan states that "Residential Neighborhoods will exhibit the following design characteristics desired by the County:

- Compact site layout to reduce trips within the neighborhood, facilitate alternative forms of transportation, preserve the Green Infrastructure, and result in reduced transportation and utilities infrastructure costs;
- Pedestrian-scale streetscape including such features as street trees, sidewalks along all street frontage, and street lighting;
- A predominantly interconnected street pattern with inter-parcel connections;
- A combination of neighborhood parks, squares, and greens located out the neighborhood within 1500 feet of all residences, and a formal civic square or other public space located in conjunction with a civic facility, Neighborhood Center, or other use, to create a focal point for the community;
- The location of public and civic uses such as churches and community centers in prominent sites to act as landmarks within the neighborhood;
- A variety of lot sizes" (Revised General Plan, Policy 4, p. 6-17).

Additionally, "spatial definition should be reinforced with the regular planting of street trees chosen to develop an overhead leaf canopy. Further street definition should be sought by emphasizing block corners with street lights, while the vista at the end of the street should terminate with a centrally placed building façade, such as a major house or civic building, an archway into a neighborhood green, a church spire or a monument" (Revised General Plan, text, p. 11-8). The Plan also indicates that "continuous parallel parking for additional cars and visitors should be provided in the street at the front of residential lots", and "garages should be set back from the front façade of the dwellings" (Revised General Plan, text, 11-8).

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The proposed residential component of the development is located north of the proposed alignment of the East-West Connector (Route 621) and will be comprised of 125 single-family attached homes (including 30 ADUs) and 113 single-family detached homes. The residential neighborhood is organized by unit type with single family attached units located on the northern portion of the property and transitioning to single family detached units to the south. The property is accessed by two proposed entrances from Route 659 Relocated (Belmont Ridge Road Relocated) and two entrances from Route 621 Relocated (East-West Connector), one of which provides access to an enclave of single-family detached homes organized around a loop road located on the west side of the floodplain of the unnamed tributary of Broad Run. The internal street network for the main enclave of residential units consists of a central through street joined by loop streets, dead end alleys and cul-de sacs with homes located on both sides of the streets. The street network may be better served by a rectilinear street pattern to create flow and connectivity between the residential groupings. Additionally staff recommends integrating the single family attached and detached units. Integrating the housing types will contribute to neighborhood harmony, and could create opportunities for additional open space and tree save areas attributed to the mix of lots sizes.

The application provides an illustrative of the proposed layout of the residential development (sheets 4 & 4A) but does not provide any substantial detail on the submitted CDP (sheets 7 and 8) to enable staff to evaluate the proposed design and function of the development. Information has not been provided regarding the details of the internal streetscape, including whether sidewalks, street trees, street lighting, and on-street parking will be implemented into the proposed design. No details or typicals of the proposed residential units types have been provided. Information regarding the location, layout and function of the proposed civic and open spaces has also been omitted. An internal and external trail network is shown on the illustratives, though no details are provided on the CDP. More information on these design aspects is necessary to ensure that the design guidelines of the Revised General Plan have been addressed.

Staff recommends the application be amended to incorporate and illustrate the following design elements:

- ***interconnected street system, whether in a rectilinear grid or curvilinear pattern,***
- ***integration of attached and detached residential units so that they are not segregated into "single use pods",***
- ***detailed information on the location and types of civic and open space uses proposed for the development***
- ***detailed development plan depicting the location of sidewalks, street trees, street lighting and street parking***
- ***detailed landscaping plan indicating the types and location of landscaping to be used within the development, and***

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- ***detailed information on the internal trail network (i.e. trail width, materials, etc.).***

D. PEDESTRIAN AND BICYCLE CIRCULATION

Suburban communities should provide a pedestrian-friendly environment (Revised General Plan, Design Guidelines, p. 11-5). Within neighborhoods in the Suburban Policy Area, residential streets should have sidewalks on both sides of the streets with a minimum width of 5 feet and 2 feet vegetated buffers (Bicycle and Pedestrian Mobility Master Plan, Policy 2a, p. 31). Shared use pathways or trails are an important component of a bicycle and pedestrian transportation system, because they can provide a high quality walking and bicycling experience in an environment that is protected from traffic. Shared-use paths should be a minimum of 10 feet wide and paved (Bicycle and Pedestrian Mobility Master Plan, text, p. 41).

The submitted CDP does not indicate the location of sidewalks or trails within the proposed residential development. Pedestrian accommodations should be provided internally out the proposed development that include sidewalks and an internal trail system. Information should be provided regarding the width of the proposed sidewalks, and the width, composition, and safety features of proposed trails. The application also lacks information regarding bicycle and pedestrian connections to the Brambleton Development. Without a safe and continuous pedestrian and bicycle network external to the development, opportunities for residents to have access to the surrounding residential developments and non-residential uses in the area is significantly limited.

Staff requests information regarding the width and composition of the proposed sidewalks and trails. Staff recommends the following

- ***all internal sidewalks be a minimum of 5 feet wide;***
- ***trails the common open space should include design features that enhance the safety and security for users and property owner;***
- ***the development be incorporated into the larger pedestrian and bicycle network for the Brambleton Development to create a continuous network of sidewalks and shared use paths; and that***
- ***crosswalks across Route 659 Relocated (Belmont Ridge Road Relocated) and Route 621 Relocated (East-West Connector) be provided to create a safe environment for pedestrians and bicycles. The crosswalks should afford a visual and textural transition between non-vehicular and vehicular movements, such as a change in pavement type or at a minimum pavement markings.***

E. AFFORDABLE HOUSING

Land development applications proposing more than 50 dwelling units with a density greater than one dwelling unit per acre must provide a certain percentage of affordable units (ADUs) (Revised General Plan, Policy 8, p. 2-14). Although the Statement of Justification provides a commitment to the provision of ADUs, specific information regarding the number, types, and location of the proposed ADUs has not been provided on the CDP. The Loudoun County Zoning Ordinance (revised 12/15/03) requires 12.5%

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of the total number of housing units (market and ADU) to be provided as ADUs. The ADUs for this project calculates to 30 ($238 \times 0.125 = 30$). It is the Plan's intent that affordable housing be dispersed the development to maximize choice and avoid the segregation of affordable units (Revised General Plan, Policies 2 & 3, p. 2-14).

Staff recommends that the required ADUs be appropriately located and labeled on the CDP. The ADUs that are to be provided should be of various unit types and dispersed out the community, per Plan policy.

F. CAPITAL FACILITIES

All residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Plan calls for capital facilities contributions valued at "100 percent of capital facility costs per dwelling unit" at densities above the specified base density (Revised General Plan, Policy 1, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application, whichever is lower (Revised General Plan, Proffer Guidelines, p. 11-2). The Capital Intensity Factor (CIF) is currently assessed at \$37,660 for a Single-Family Detached dwelling, \$22,291 for a Single-Family Attached dwelling, and \$12,611 for a Multi-Family (MF) dwelling.

The total projected capital facilities impact of the proposed development is \$2,654,035.00 (Attachment 1). As such, the net capital facilities contribution anticipated from the developer would be the equivalent of approximately \$11,151 per unit.

Staff recommends that the impacts on capital facilities of the proposed residential development be mitigated.

RECOMMENDATIONS

The Plan does not support the proposed commercial retail and institutional (assisted living facility) land uses proposed for the southern portion of the subject site which is planned for General Industrial uses. Staff does not support the Special Exception request to allow these uses on the property.

The proposed residential development of the northern portion of the property is consistent with the Residential planned land use of the area and the residential densities called for in the Revised General Plan. Staff supports the proposed residential development of the northern portion of the subject site, however not enough information has been provided regarding the site's ultimate build-out to enable staff to thoroughly evaluate the proposal at this time. Staff recommends that the applicant provide the following information:

- usable public/civic space in a prominent location within the development;
- delineation of park and open space areas in the development; (buffer, active, passive, and/or natural);

- integration the existing green infrastructure elements into the design of the proposed development;
- a 50-foot management buffer outside the limits of the floodplain to protect the river and stream corridor resources,
- detailed to stormwater management program that incorporates the existing environmental features and utilizes low impact development techniques,
- identification of individual tree saves and tree save areas on the CDP;
- an interconnected street network;
- residential units types integrated throughout the development
- landscape, lighting, and streetscape plan;
- an internal pedestrian and bicycle network with connections to adjoining residential communities;
- affordable dwelling units (ADUs) that are various unit types and dispersed throughout the development; and
- mitigation of fiscal impacts.

Staff would be happy to meet with the applicant to discuss any comments or questions.

Attachments

Attachment 1: Capital Facilities Impact Analysis

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning

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**Attachment 1- Capital Facilities Impact Analysis
Brambleton Brandt Property**

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

| <i>Housing Type</i> | <i>Total Number of Units</i> | <i>Capital Intensity Factors</i> | <i>Projected Capital Facilities Impact</i> |
|------------------------------|------------------------------|----------------------------------|--|
| Single-Family Detached (SFD) | 113 | \$37,660 | \$4,255,580 |
| Single-Family Attached (SFA) | 95 | \$22,291 | \$2,117,645 |
| Multi-Family (MF) | 0 | \$12,611 | \$0 |
| TOTAL | 208 | | \$6,373,225 |

208 Total Units \$6,373,225 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. The base density is either 1.0 du/acre or the density requirements of the existing zoning, whichever is lower (Revised General Plan, Proffer Guidelines, pp. 11-1 to 11-3). Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on February 15, 2005.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

| <i>Housing Type</i> | <i>Total Number of Units</i> | <i>Number of Proposed ADUs</i> | <i>Number of Market Rate Units</i> |
|------------------------------|------------------------------|--------------------------------|------------------------------------|
| Single-Family Detached (SFD) | 113 | 0 | 113 |
| Single-Family Attached (SFA) | 95 | 30 | 65 |
| Multi-Family (MF) | 0 | 0 | 0 |
| TOTAL | 208 | 30 | 178 |

2. Capital Facilities Calculations for Market Rate Units

| <i>Housing Type</i> | <i>Total Number of Market Rate Units</i> | <i>Capital Intensity Factors</i> | <i>Capital Facilities Calculations for Market Rate Units</i> |
|------------------------------|--|----------------------------------|--|
| Single-Family Detached (SFD) | 113 | \$37,660 | \$4,255,580 |
| Single-Family Attached (SFA) | 65 | \$22,291 | \$1,448,915 |
| Multi-Family (MF) | 0 | \$12,611 | \$0 |
| TOTAL | 178 | | \$5,704,495 |

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

| <i>Zoning District</i> | <i>Acres</i> | <i>Density Permitted By-right (du/acre)</i> | <i>Base Density Units</i> | <i>Capital Intensity Factor</i> | <i>Capital Facility Credit for Base Density Units</i> |
|------------------------|--------------|---|---------------------------|---------------------------------|---|
| R-1 | 81.36 | 1 | 81 | \$37,660 | \$3,050,460 |
| 0 | 0.00 | 0 | 0 | \$37,660 | \$0 |
| 0 | 0.00 | 0 | 0 | \$37,660 | \$0 |
| TOTAL | | | 81 | | \$3,050,460 |

4. Anticipated Capital Facilities Contribution

$$\$5,704,495 - \$3,050,460 = \$2,654,035$$

97 Market Rate Units Above Base Density

\$2,654,035 Anticipated Capital Facilities Contribution

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County of Loudoun
Department of Planning
MEMORANDUM

DATE: March 2, 2007

TO: Mike Elabarger, Project Manager
Land Use Review

FROM: ^{RB} Pat Giglio, Planner
Community Planning

SUBJECT: ZMAP 2004-0024 and SPEX 2004-0041 Brambleton Brandt Property
2nd Referral

BACKGROUND

The applicant, Brambleton Group, LLC, requests approval to rezone approximately 94 acres of land from R-1 (Single Family Residential) and PD-GI (Planned Development-General Industrial) to PD-H4 (Planned Development Housing) and PD-CC(CC) (Planned Development-Commercial Center). The subject site, known as the Brandt Property is located west of Route 659 Relocated (Belmont Ridge Road Relocated) and existing Route 621 (Evergreen Mills Road) and is largely surrounded by the Brambleton Development. The land to the north and east of the subject site has been approved for future residential development, the land to the south is planned for industrial uses and the land to the southeast is approved for industrial park uses, office uses, retail uses and a fire and rescue station as part of the Brambleton Development. The southern portion of the subject site will be bisected by the proposed alignment of the East-West Connector (Route 621), which forms the approximate boundaries between the Residential and Industrial planned land use areas of the property (Revised General Plan, Planned Land Use Map, p. 7-23).

The applicant has responded to Community Planning's first referral, though several issues are outstanding. These issues should be addressed to ensure that the intent of the Revised General Plan is being met with the proposed project. Staff has outlined the outstanding issues below.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is governed under the policies of the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located in the Dulles Community within the Suburban Policy Area. The Revised General Plan identifies the subject site

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as suitable for Residential and General Industrial uses (Revised General Plan, Planned Land Use Map, p. 7-23).

OUTSTANDING ISSUES

A. LAND USE

1. General Industrial

The applicant proposes the construction of three-drive through restaurants, a service station with gas pumps and car wash, a pharmacy and an assisted living facility on an approximately 13 acre portion of the property located south of the proposed alignment of the East-West Connector (Route 621) in an area designated for General Industrial uses by the Plan (Revised General Plan, Planned Land Use Map, p. 7-23). The East-West Connector (Route 621) serves as a physical barrier separating and buffering the General Industrial planned land use area from the Residential planned land uses area on the north side of the road (Revised General Plan, Planned Land Use Map, p. 7-23). The applicant's proposal to locate commercial retail and residential(assisted living facility) uses within the General Industrial planned land use area are not supported by the Plan. The proposed commercial retail uses may be better located within a neighborhood serving retail center within the community while the assisted living facility may be better located within the Brambleton Active Adult Community where services and facilities for seniors are already planned.

Plan policies do not support the proposed commercial retail and residential(assisted living facility) land uses proposed for the approximately 13 acre portion of the property which is designated for General Industrial uses.

2. Residential

The applicant proposes to rezone 81.36 acres of the property north of the proposed alignment of the East-West Connector (Route 621) to PD-H4 to develop 109 single-family detached homes and 137 single-family attached homes (including 30 ADUs) at an overall density of approximately 2.9 dwelling units per acre. The Plan supports the development of residential neighborhoods in the Suburban Policy Area at densities up to 4.0 dwelling units per acre, depending on the availability of adequate roads, utilities, and the provision of a full complement of public services and facilities (Revised General Plan, Policy 1, p. 6-17).

Staff finds that the proposed residential use of the northern portion of the subject property is consistent with the density and land use called for in the Revised General Plan.

3. Public & Civic

The Revised General Plan states that large residential developments will have a mix of residential and non-residential uses to create a balanced sustainable community. Plan policies state that residential neighborhoods will incorporate public and civic space at a minimum of 10% of the gross acreage of the property (Revised General Plan, Policy 2, p. 6-17). In the first referral staff had requested that the public/civic spaces proposed for the development be identified on the CDP. The applicant in response has identified

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a community tot lot and community play area as dedicated public/civic space, however staff notes that this space does not meet the definition of civic space as defined in the Plan and therefore cannot be counted towards meeting the civic space requirement of the land use mix. The Revised General Plan defines civic space as public or quasi-public institutional uses that primarily serve the immediate community and that, due to their small size, design, and limited ancillary activities (traffic, parking, noise, or similar activity) are compatible with the surrounding residential use. Such uses may include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses (Revised General Plan, Glossary, p. G-2).

Staff recommends that a minimum of 10% of the project area be provided for useable public/civic space that is located in a prominent site within the development per Plan policy.

4. Public Parks and Open Space

Open space is a critical component of a healthy, vibrant community (Revised General Plan, text, p. 6-9). In the first referral staff had requested specific detail regarding the location and types of parks and open space uses proposed for the development and that the location of these areas be clearly depicted on the CDP to ensure that the proposed development is in conformance with Plan policies. The revised CDP submitted by the applicant indicates that the proposed development will incorporate 26.89 acres (36% of the site's gross acreage) of open space in the form of a playing field, a tot lot, bicycle and pedestrian trails, and natural areas. The open space as currently proposed is primarily located on the perimeter of the site and along the flood plain of a tributary of Broad Run that bisects the property. The Plan calls for at least 75% of the required open space in residential areas to be usable interior open space (Revised General Plan, Policy 3, p. 6-10). A community green or park located near the center of the residential clusters may better serve the open space needs of the community by providing gathering places and easy pedestrian accessibility for residents.

Staff recommends that additional interior open space be provided throughout the proposed residential neighborhoods, such as community greens, pocket parks, and tot lots to provide community gathering places and accessible site amenities. The applicant should provide a commitment to including interior open space in the design of the proposed community.

B. AFFORDABLE HOUSING

Land development applications proposing more than 50 dwelling units with a density greater than one dwelling unit per acre must provide a certain percentage of affordable units (ADUs) (Revised General Plan, Policy 8, p. 2-14). The Loudoun County Zoning Ordinance (revised 12/15/03) requires 12.5% of the total number of housing units (market and ADU) to be provided as ADUs. The applicant has committed to providing

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30 single-family attached ADUs. It is the Plan's intent that affordable housing be dispersed throughout the development to maximize choice and avoid the segregation of affordable units (Revised General Plan, Policies 2 & 3, p. 2-14).

Staff recommends that the required ADUs be appropriately located and labeled on the CDP. The ADUs that are to be provided should be of various unit types and dispersed throughout the community, per Plan policy.

C. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application, whichever is lower (Revised General Plan, Proffer Guidelines, p. 11-2).

Capital facility impacts have been calculated for the proposed development including the costs associated with the provision of safety, government, recreation, and education services, etc. The total projected capital facilities impact of the proposed development is \$7,985,044 (see Attachment 1). The County assumes responsibility for the capital facilities impacts up to the base density of 1 dwelling unit per acre for land zoned R-1. The net capital facilities contribution anticipated from the developer would be \$4,192,705.

Staff recommends that the impacts on capital facilities of the proposed residential development be mitigated.

RECOMMENDATIONS

The Plan does not support the proposed commercial retail and residential (assisted living facility) land uses proposed for the southern portion of the subject site which is planned for General Industrial uses. Staff does not support the rezoning and Special Exception requests to allow these uses on the southern portion of the property.

The proposed residential development of the northern portion of the property is consistent with the Residential planned land use of the area and the residential densities called for in the Revised General Plan. Staff supports rezoning request for the proposed residential development of the 81 acre northern portion of the subject site

and recommends approval of the application following the resolution of the following outstanding issues:

Staff recommends the following design changes;

- Provision of usable public/civic space in a prominent location within the development;
- Provision of centralized open space throughout the proposed residential neighborhoods; and
- Dispersion of affordable dwelling units (ADUs) throughout the site and among the different housing types.

Staff recommends the applicant commit to the following:

- Provide the full amount of Affordable Dwelling Units (ADUs) that are required by the Loudoun County Zoning Ordinance;
- Provide ADUs of various unit types and dispersed throughout the community;

Staff also recommends that the capital facility impacts of the proposed development be mitigated.

Staff would be happy to meet with the applicant to discuss these issues.

Attachments

Attachment 1: Capital Facilities Impact Analysis

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning

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Attachment 1- Capital Facilities Impact Analysis
ZMAP 2004-0024, Brambleton Brandt, 2nd Ref

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

| <i>Housing Type</i> | <i>Total Number of Units</i> | <i>Capital Intensity Factors</i> | <i>Projected Capital Facilities Impact</i> |
|------------------------------|------------------------------|----------------------------------|--|
| Single-Family Detached (SFD) | 109 | \$46,819 | \$5,103,271 |
| Single-Family Attached (SFA) | 127 | \$29,709 | \$3,773,043 |
| Multi-Family (MF) | 0 | \$18,904 | \$0 |
| TOTAL | 236 | | \$8,876,314 |

236 Total Units \$8,876,314 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

| <i>Housing Type</i> | <i>Total Number of Units</i> | <i>Number of Proposed ADUs</i> | <i>Number of Market Rate Units</i> |
|------------------------------|------------------------------|--------------------------------|------------------------------------|
| Single-Family Detached (SFD) | 109 | 0 | 109 |
| Single-Family Attached (SFA) | 127 | 30 | 97 |
| Multi-Family (MF) | 0 | 0 | 0 |
| TOTAL | 236 | 30 | 206 |

2. Capital Facilities Calculations for Market Rate Units

| <i>Housing Type</i> | <i>Total Number of Market Rate Units</i> | <i>Capital Intensity Factors</i> | <i>Capital Facilities Calculations for Market Rate Units</i> |
|------------------------------|--|----------------------------------|--|
| Single-Family Detached (SFD) | 109 | \$46,819 | \$5,103,271 |
| Single-Family Attached (SFA) | 97 | \$29,709 | \$2,881,773 |
| Multi-Family (MF) | 0 | \$18,904 | \$0 |
| TOTAL | 206 | | \$7,985,044 |

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

| <i>Zoning District</i> | <i>Acres</i> | <i>Density Permitted By-right (du/acre)</i> | <i>Base Density Units</i> | <i>Capital Intensity Factor</i> | <i>Capital Facility Credit for Base Density Units</i> |
|------------------------|--------------|---|---------------------------|---------------------------------|---|
| R-1 | 81.26 | 1 | 81 | \$46,819 | \$3,792,339 |
| 0 | 0.00 | 0 | 0 | \$46,819 | \$0 |
| 0 | 0.00 | 0 | 0 | \$46,819 | \$0 |
| TOTAL | | | 81 | | \$3,792,339 |

4. Anticipated Capital Facilities Contribution

$$\$7,985,044 - \$3,792,339 = \$4,192,705$$

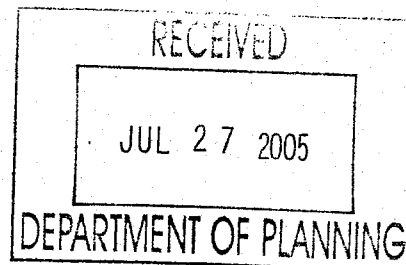
\$4,192,705 Anticipated Capital Facilities Contribution



LOUDOUN COUNTY PUBLIC SCHOOLS PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

July 21, 2005



Mr. Van Armstrong
County of Loudoun
Department of Planning
1 Harrison Street, SE
Post Office Box 7000
Leesburg, Virginia 20177

RE: ZMAP 2004-0024 & SPEX 2004-0041/Brambleton Brandt Property

Dear Van:

School Board staff has reviewed the zoning map amendment and special exception application for the Brambleton Brandt Property. Based on the 2002 Virginia-County of Loudoun School Census, the proposed 113 single family detached and 125 single family attached units will generate a total of 140 school-age children: 77 elementary school-age children (grades K-5), 31 middle school-age children (grades 6-8), and 32 high school-age children (grades 9-12).

New students generate substantial operational and capital expenses. The escalating costs are evident in the County's operational and capital budgets. The *School Board Adopted FY 2006 through FY 2010 Capital Improvements Program* and the *School Board Adopted FY 2006 Operating Budgets* underscore the financial effects that student growth has on Loudoun County. Approval of the Brambleton Brandt application will generate the following operating and capital expenses (see attached chart):

- Capital costs for the development's elementary school students will be \$1,753,840;
- capital costs for the development's middle school students will be \$911,056;
- capital costs for the development's high school students will be \$1,329,067; and
- the annual operating costs for the 140 students projected with this application are estimated at \$1,491,700.

The total estimated capital costs of \$3,993,963 and the yearly operating costs estimated at \$1,491,700 will be needed to fund the educational services for the Brambleton Brandt Property alone. The School Board is cognizant that these projected costs do not reflect anticipated revenues from real estate taxes, personal property taxes, and sales taxes. Nevertheless, the financial costs of all residential rezonings are not only significant, but also generate ongoing expenses that will continue to increase with the passage of time.

Mr. Van Armstrong
ZMAP 2004-0024 & SPEX 2004-0041/Brambleton Brandt Property
July 21, 2005
Page Two

A review of all currently approved development suggests that Loudoun County Public Schools can anticipate the addition of just under 20,000 more students over the next five years. This calculation does not embody children who are currently being served by Loudoun County Public Schools, nor does it include future potential students from by-right developments. The current Capital Improvements Program has utilized all proffered school sites. Projected enrollment growth will surpass all potentially available future capacity that is embodied in existing proffers. The Ashburn area is presently and will continue to experience significant student enrollment growth. Children from currently approved developments will more than fill the area schools. Additional development from new rezonings and by-right developments will place the schools in further jeopardy from a capacity perspective.

Capital facility proffer calculations indicate that public schools account for approximately 80 percent of Loudoun's estimated capital costs. A proportionate share of this project's capital facilities contribution should be set aside for public school capital projects. This designation should be noted within the Capital Facilities Contribution proffer statement (or other appropriate documentation) for the Brambleton Brandt Property.

And finally, the absence of safe walking paths throughout Loudoun County is becoming a more important issue to parents in a county where traffic volumes are increasing on a daily basis. In rural areas of Loudoun, every house with a child becomes a bus stop. Similar circumstances are emerging in the county's new subdivisions. Students that live within a school's walk zone must be transported to school because there are either no sidewalks or they are only constructed on one side of the street. Should new subdivisions contain sidewalks on both sides of the street, children could safely walk to a bus stop or school. Sidewalks not only increase operational efficiency, but ultimately mean less time on the school bus for Loudoun's children. Accordingly, in order to ensure that students residing within the Brambleton Brandt Property can safely walk to and from bus stop locations, pedestrian walkways should be provided and allow for public access easements.

The Loudoun County School Board is extremely concerned about all land development applications. Both capital facility expenditures and operational costs are significantly impacted by each approved residential project, and both can be anticipated to increase with each additional school-age child that resides in Loudoun County. Should you require any additional information, please contact me at your earliest convenience.

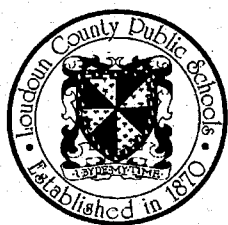
Sincerely,



Sam Adamo, Director

Attachment

A-86



Loudoun County Public Schools

Department of Planning and Legislative Services

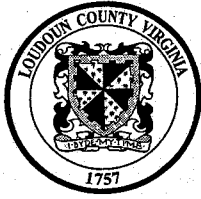
Project Assessment

Project Name: ZMAP 2004-0024 & SPEX 2004-0041/Brambleton Brandt Property

| 2002 Virginia-County of Loudoun School Census Student Generation Factors | Housing Units | Elementary School Student Generation | Middle School Student Generation | High School Student Generation | Student Generation Total |
|--|---------------|---|---|---|--------------------------------------|
| Eastern Loudoun County | | | | | |
| Single Family Detached | 113 | 49 | 20 | 21 | 90 |
| Single Family Attached | 125 | 28 | 11 | 11 | 50 |
| Multifamily | 0 | 0 | 0 | 0 | 0 |
| Total | 238 | 77 | 31 | 32 | 140 |
| Capital Costs | | | | | |
| | | Elementary School Cost (FY06 CIP \$) | Middle School Cost (FY06 CIP \$) | High School Cost (FY06 CIP \$) | Total Capital Expenditure |
| School Cost | | \$19,930,000 | \$39,675,000 | \$74,760,000 | |
| Capacity | | 875 | 1,350 | 1,800 | |
| Per Pupil Cost | | \$22,777 | \$29,389 | \$41,533 | |
| Project's Capital Costs | | \$1,753,840 | \$911,056 | \$1,329,067 | \$3,993,963 |
| Annual Operational Costs | | | | | |
| | | FY 2005 Estimated Per Pupil Cost | Student Generation Total | Annual Operational Costs | |
| | | \$10,655 | 140 | \$1,491,700 | |
| School Facility Information | | | | | |
| | | Elementary School* (Grades K-5) | Middle School (Grades 6-8) | High School* (Grades 9-12) | |
| 2004-05 Attendance Zone | | Arcola | Mercer | Stone Bridge | |
| September 30, 2004 Student Enrollment | | 399 | 644 | 1848 | |
| 2004-05 Program Capacity | | 407 | 1121 | 1577 | |

* Based on School Board adopted attendance boundaries, the Brambleton Brandt Property would be served by Legacy Elementary School and Freedom High School beginning Fall 2005 (at the start of the 2005-06 academic year). Legacy Elementary School is anticipated to have a program capacity of 875; Freedom High School is anticipated to have a program capacity of 1600.

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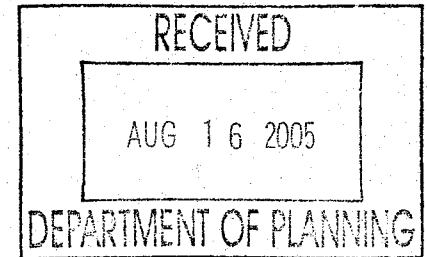


**COUNTY OF LOUDOUN
DEPARTMENT OF SOCIAL SERVICES**



MEMORANDUM

TO: Van Armstrong, Project Manager
FROM: Christene Vogel, Housing Specialist *CV*
THRU: Ronald Eamich, Assistant Director *RE*
DATE: August 12, 2005
RE: ZMAP 2004-0024 and SPEX 2004-0041 Brambleton Brandt Property



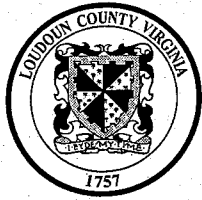
The subject rezoning application submittal has been reviewed in this office relative to DSS' items of concern. On this approximately 94-acre tract located west of Route 659 Relocated, south of Ryan Road and bisected by future Route 621 Relocated, the total number of units being proposed is two hundred and thirty-eight (238). The total number of required ADUs in accordance with Section 7-103 (A)(B) of the Loudoun County Zoning Ordinance for this project as proposed calculates to Thirty (30) [$238 \text{ SFD/SFA} \times .1250 = 29.75 = 30$].

These thirty (30) ADUs must be marked as ADUs on the record plat. In accordance with Ordinance requirements we ask that they be properly interspersed. Based on correspondence regarding Section 7-104 (C) of the 1993 Loudoun County Zoning Ordinance and the interspersion of ADU units by the Zoning Administrator and the Affordable Dwelling Unit Advisory Board (ADUAB), it has been determined that no ADU should be immediately adjacent to or across from another ADU. No more than 3 ADU units should be located in a row of six or more townhouses. No more than 2 units should be located in a row of three to five townhouses. In order to achieve ordinance compliance, the required ADUs should be offered, appropriately located, and marked if the applicant desires to build the two hundred and thirty-eight (238) units as proposed. The record plat should also clearly provide ADU information in table form.

No other concerns are noted for this submittal.

If you have questions concerning this matter please contact this office at Ext. 5916

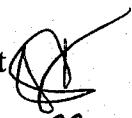

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**COUNTY OF LOUDOUN
DEPARTMENT OF FAMILY SERVICES**



MEMORANDUM

TO: Mike Elabarger, Project Manager
FROM: Christene Vogel, Housing Specialist 
THRU: Ronald Eamich, Assistant Director 
DATE: June 27, 2006
RE: ZMAP 2004-0024 and SPEX 2004-0041 Brambleton Brandt Property,
Second Referral

The subject rezoning application re-submittal has been reviewed in this office relative to Family Services' items of concern. For this submission, the total number of units being proposed is two hundred and thirty-eight (238) SFD/SFA. The total number of required ADUs in accordance with Section 7-103(A) of the Loudoun County Zoning Ordinance for this project as proposed calculates to Thirty (30) [238 SFD/SFA X .1250 = 29.75 = 30].

As indicated in the original referral and acknowledged by the Applicant, these ADUs must be marked as ADUs on the record plat. In accordance with Ordinance requirements we ask that they be properly interspersed. Based on correspondence regarding Section 7-104 (C) of the 1993 Loudoun County Zoning Ordinance and the interspersion of ADU units by the Zoning Administrator and the Affordable Dwelling Unit Advisory Board (ADUAB), it has been determined that no ADU should be immediately adjacent to or across from another ADU. No more than 3 ADU units should be located in a row of six or more townhouses. No more than 2 units should be located in a row of three to five townhouses. In order to achieve ordinance compliance, the required ADUs should be offered, appropriately located, and marked if the applicant desires to build the two hundred and thirty-eight (238) units as proposed.

If you have questions concerning this matter please contact me at Ext. 5916.

A-90

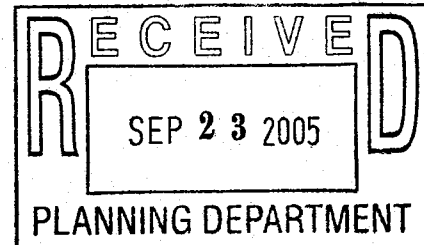


COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)



September 20, 2005

Mr. Van Armstrong, Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Brambleton – Brandt Property
Loudoun County Application Number: ZMAP 2004-0024 and SPEX 2004-0041

Dear Mr. Armstrong:

We have reviewed the above application as requested and offer the following comments:

1. Since adequate design information for the proposed public roads is not provided at this time we are unable to provide a meaningful review/ or verify conformance to applicable VDOT standards. However, as a minimum the design of these roads should conform to the following:

- The design of all public roads should be per VDOT *Road Design Manual*, Volume 1 and *Road Design Manual, Appendix B, Subdivision Street Design Guide*, latest edition, based on the projected traffic volume (ADT), for individual roads.
- All private streets/entrances should conform to VDOT's *Minimum Standards of Entrances to State Highways*, Latest edition.
- Meandering road alignments with multiple reverse curves, short curves and broken back tangents are not desirable and should be avoided.
- Length of vertical and horizontal curves should be three (3) and fifteen (or minimum 200') times the design speed respectively.

Mr. Van Armstrong, Project Manager,
September 20, 2005
Page Two

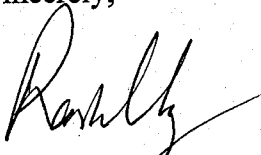
- All intersections should be at ninety-degree angle.
- Drainage design should be in accordance with VDOT *Drainage Manual*, latest edition.
- The landscaping proposed along public roads should provide adequate sight distance at every intersection.

2. The dedication of right-of-way for public roads (existing and proposed) should be adequate to accommodate turning lanes at all intersections. (It appears that the present layout does not provide for these lanes and should be revised accordingly.)

3. The applicant should be aware that the information shown on this application is conceptual and in no way represents an acceptable design. We will however review this plan in detail when preliminary/ or construction plans are submitted in future to verify conformance. (It is suggested that the plan be engineered now without showing design details to avoid major revisions in future.) We also reserve the right to recommend revision, which may be major in some cases, if design of public roads is not conforming to applicable VDOT standards

If you have any questions, please call me at (703) 383-2046.

Sincerely,



Rashid Siraj, P.E.
Transportation Engineer

(Com.09-20-05)

A-92



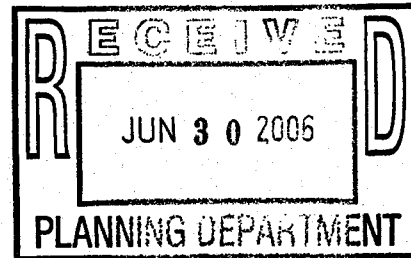
COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

June 28, 2006



Mr. Mike Elabarger, Project Manager
County of Loudoun
Department of Planning. MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Brambleton – Brandt Property
Loudoun County Application Number: ZMAP 2004-0024 and SPEX 2004-0041

Dear Mr. Elabarger:

We have reviewed the above application as requested and have no objection to the approval.

If you have any questions, please call me at (703) 383-2046.

Sincerely,

Rashid Siraj, P.E.
Transportation Engineer

(App.06-28-06)

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources



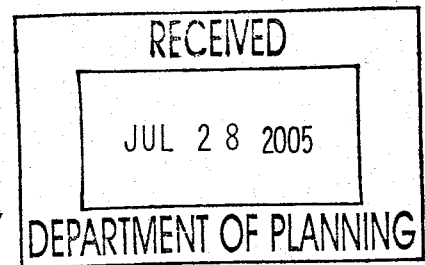
Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

July 27, 2005

Van Armstrong
Loudoun County Planning Department
1 Harrison Street, SE
Leesburg, VA 20175



Re: ZMAP 2004-0024 & SPEX 2004-0041 – Brambleton Brandt Property

Dear Mr. Armstrong:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted maps. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, natural heritage resources have not been documented in the project area. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

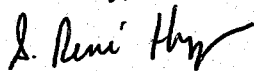
New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

Due to an increasing number of requests and limited staffing resources, effective July 1, 2003 DCR-DNH will require 30 days to comment on projects submitted for our review.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from www.dgif.virginia.gov/wildlife/info_map/index.html, or contact Shirl Dressler at 804-367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Rene' Hypes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

S. Rene' Hypes
Project Review Coordinator

A-75

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: March 5, 2007

TO: Mike Elabarger, Planning Services

FROM: Proffer Referral Team

THROUGH: Daniel Csizmar, Capital Facilities Planner

SUBJECT: **Brambleton Brandt (ZMAP-2004-0024)**
Proffer Comments

This memorandum is in response to your request for reviews and comments regarding the Draft Proffer Statement for ZMAP-2004-0024, Brambleton Brandt. This referral represents the combined comments of all County Departments with capital facility planning responsibilities.

The Applicant is proposing to use the cash contributions that would typically go towards capital facilities for the construction of an off-site segment of Loudoun County Parkway. This proposal is linked with three other rezonings that propose the same cash contribution tradeoff to fully fund the construction of the off-site segment of Loudoun County Parkway: ZMAP-2004-0025 (Brambleton Corner), ZMAP-2004-0026 (Brambleton Town Center Residential), and ZMAP-2005-0020 (Brambleton Active Adult).

This proffer statement provides the County with a Transportation Cash Contribution of \$50,319 for all single family detached market rate units developed, and \$33,209 for all single family attached market rate units developed, in lieu of the regular capital, transportation and transit contributions typically offered in rezoning applications. The total value of this contribution is \$4,960,524. This contribution, if provided, is proposed to offset the capital facility contribution amount requested by the County, but does not provide the County with any funds for capital facilities. If the County chooses to accept the provision of road funding in lieu of capital facility funding, the County will have to make up the difference in its provision of capital facilities using general obligation bonds and local tax funding. In essence, if this proposal is accepted, the County needs to add an additional \$4,239,524 to its Capital Improvements Program (CIP) to offset the cost of capital facility contributions that would have been provided by this application.

The current proposal made by the Applicant achieves the construction of Loudoun County Parkway from the East/West Connector (Route 621 Relocated) to the West Spine Road, as well as the completion of the East/West Connector from Route 659 to Loudoun County Parkway. While achieving this regional road improvement, the proposal would shift capital facility contributions towards regional roads rather than capital facilities. This action has the potential to set a precedent for other applicants to follow that would reduce capital facility funding needed by

A-95

the County. In effect, for every dollar taken from capital facility contribution amounts, one dollar needs to be added to the County's Capital Improvements Program (CIP) for planned capital facilities. In order to obtain favorable staff approval of this option, the Applicant may have to lower the percentage of capital facility contributions proposed to be diverted to the Loudoun County Parkway project, or increase the value of its land and in-kind capital contributions.

The County has a need for land and specific capital facilities in the vicinity of the Brambleton projects. In the Dulles Planning Subarea, the following facilities and acreages are needed by 2018:

| <u>Facility</u> | <u>Total Acreage</u> | <u>Opening Date</u> |
|-------------------------------|----------------------|---------------------|
| Regional Park & Ride Lots (2) | 7.5 acres | 2013 & 2014 |
| Library | 7.5 acres | 2013 |
| MR Townhouse | 0.25 acres | 2013 |
| MH Townhouse | 0.25 acres | 2015 |
| District Parks (2) | 150 acres | 2013 & 2015 |
| Community Parks (4) | 120 acres | 2013-2016 |
| Vehicle Facility | 10 acres | 2016 |
| Government Service Center | 2.5 acres | 2016 |
| Recycling Dropoff Center | 0.25 acres | 2016 |

The total cash contributions provided by the four linked rezoning applications at the proposed level results in an \$8 million deficit in funding the construction of Loudoun County Parkway and Route 621 Relocated. The County does not gain anything from the Applicant's proposal if all potential cash contributions are used for road segments that can not be constructed due to funding shortfalls or the pace of the economy. The cost of materials and labor for road construction are likely to increase at a faster rate than the rate of interest earned by the cash contributions within the Brambleton Transportation Improvement Fund. Given the inherent shortfall in funding, the Applicant should guarantee that the construction of the proposed road segments will be completed, within a certain timeframe, regardless of funding shortfalls or if costs exceed project financing. The proposed cash contributions can be used to reimburse the Applicant for their construction costs; any construction costs that exceed the proffered contributions have to be borne by the Applicant.

Land development applications require consideration on their own merit, independently of other applications. However, the proposal provided by these applications does not work if the applications are considered separately by the Board of Supervisors. The proffer statement needs to include a provision in the event the Board of Supervisors does not pass all four applications. The provision provided in the Proffer Statement should state the following: "In the event that rezoning applications ZMAP-2004-0025, ZMAP-2004-0026 and ZMAP-2005-0020 are not all approved by the Loudoun County Board of Supervisors, then \$46,819 per single family detached unit and \$29,709 per single family attached unit, of the contributions provided in Proffer IV.B shall revert to capital facility contributions to be used for the development of capital facilities in the Ashburn or Dulles Planning Subareas. In addition, \$3,500 of the proffered contributions would revert to regional road contributions." Based on current calculations, the value of the

Capital Facilities Contributions equals \$4,239,524 to offset the capital facility cost to the County of rezoning to a higher density. The value of the regional road contributions would be \$721,000.

Furthermore, the clause in Proffer IV.B that states that capital facility contributions "may be used for any purpose al allowed by the terms of the Trust" should be removed. If the cash contributions associated with this rezoning are not used by the Brambleton Transportation Improvement Fund to complete the proposed segment of Loudoun County Parkway, then the contributions should revert back to the standard capital facility and regional road contribution designations. The use of cash contributions that would otherwise have been capital facility funds can only be used to complete the proposed road segments outlined in Proffer IV.B.

In the event a third party constructs Loudoun County Parkway from the East/West Connector (Route 621 Relocated) to the West Spine Road as outlined in Proffer IV.B, the use of the cash contributions may be used to reimburse the third party responsible for such road construction.

Additionally, the Proffer Statement does not have a Cash in Lieu of Construction provision in the event the road segments proposed in Proffer IV.A are constructed by others. Please provide a Cash In Lieu of Construction provision in the proffer statement to state that the cash in lieu of construction contributions will be based on actual costs if possible; the actual cost of constructing the road segments will include all associated engineering, surveying, bonding, permit fees, utility relocation, and other hard costs of construction based on paid invoices. The cash in lieu of construction contribution will occur at the time the Applicant would have otherwise been required to bond or construct such road improvements.

Referral comments from the Office of Transportation Services asked that a \$500 per unit contribution be made for regional transit contributions. This was clearly in addition to the Transportation Cash Contribution amount provided. Please add a per unit regional transit contribution of \$500.

Proffer III.B identifies the proffered multi-purpose trail as being depicted on both Sheets 7 and 8. Sheet 7 depicts an existing trail along Route 659 Relocated; Sheet 8 depicts the proposed multi-purpose trail within the rezoning area. Please clarify these distinctions.

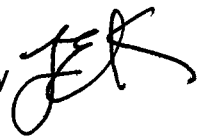
If you have any questions concerning this correspondence, please call me at (703) 771-5997.

A-97

MEMORANDUM

JUL 25 2006

OFFICE OF THE COUNTY ATTORNEY LOUDOUN COUNTY, VIRGINIA

DATE: July 25, 2006
TO: Mike Elabarger, Department of Planning (#62)
FROM: Lawrence E. Kelly, Assistant County Attorney 
SUBJECT: ZMAP 2004-0024: Brambleton Brandt
FILE #: 11-04-423

As requested, I have reviewed the draft proffers, dated May 22, 2006, for the above referenced Zoning Map Amendment application. Pursuant to this review, I offer the following comments:

1. In regard to the preamble, in the third line thereof, the applicant has identified Brambleton Land "Acquisitions" Associates, LLC as the owner of the Property. However, in the signature line, the applicant identified Brambleton Land "Acquisition" Associates, LLC as the owner. The name in the preamble and the name on the signature line need to match exactly with the correct name of the owner.
2. In regard to the preamble, in the third line thereof, I suggest that the phrase "collectively the 'Owners' or" be deleted.
3. In further regard to the preamble, in the fourth line thereof, I note that the applicant states that the "Property" is "part of" PIN 201-28-2115. I suggest that the applicant clarify where the "part of" PIN 201-28-2115 that is the subject of the application is described, so as to clarify what part of the referenced PIN is the subject of the application. I also suggest that the applicant state the number of acres that are the subject of the application.
4. In regard to proffer I., in the second line thereof, I note that the applicant has only proffered conformance with Sheet 8. This seems to be inadequate, as Sheet 8

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does not contain a lot of information. I suggest, at a minimum, that Sheet 7 also be included in this commitment, as it contains significant information that is lacking from Sheet 8. I also urge staff to review the notes contained on the cover sheet, as there appears to be some inconsistencies between the notes and the proffers. For example, there is a Note 17., which states that the project is to be "developed in multiple phases per proffer requirements", but there is nothing in the proffers that deals with the concept of phasing.

5. In further regard to proffer I., in the third line thereof, the applicant refers to the "Brambleton Brandt Rezoning Application plans". I suggest that this be changed to "Brandt Zoning Map Amendment Plan set" in order to conform with what is shown on the cover sheet.
6. In further regard to proffer I., in the fourth line thereof, I suggest that the parenthetical "(the 'Rezoning Plans')" be deleted, as the term is not referenced anywhere in the proffers, and could be confused with the "CDP".
7. In regard to proffer II.A., in the first line thereof, I suggest that the phrase "residential portion of the" be inserted prior to the word "Property". In addition, I note that Sheet 8 does not show where the single family attached, single family detached, or commercial areas are, while Sheet 7 does. Sheet 8 also does not identify the individual land bays.
8. In further regard to proffer II.A., it is not clear what is to occur in Land Bay F. Sheet 7 identifies this land bay as being an "adult care facility". I assume that a special exception for this use has been requested. However, even if it has not, this designation on Sheet 7, assuming further that Sheet 7 is proffered, will limit the use of Land Bay F to an Adult Care Facility. Consideration for this fact should be given if Sheet 7 is to be proffered.
9. In regard to proffer II.B., in the first line thereof, the applicant references Land Bay G. However, I again note that the land bays are not shown on Sheet 8, which is the only sheet proffered.
10. In further regard to proffer II.B., I suggest that the phrase "in proffer VII" be added to the end of the proffer.
11. In regard to proffer III.A., in the first line thereof, the applicant proposes to provide "active and passive recreational amenities". I suggest that the applicant clarify what these are as no amenities are identified on Sheet 8. In the last line of the proffer, the applicant states that the amenities will include "a community tot lot and a community play area at the southeast corner of the proposed

residential development". On Sheet 7, a tot lot is shown, but not in the southeast corner. If Sheet 7 is proffered, then I suggest that it be clarified that the tot lot is in the Land Bay E and that the "community play area" is the area identified as "open play area".

12. In regard to proffer III.B., in the second line thereof, I suggest that the word "adjacent" be inserted prior to the word "Brambleton".
13. In further regard to proffer III.B., I note that the applicant is proposing to determine the exact width and location of trails at the time of first residential record plat or site plan, whichever is first in time. I suggest that it be stated that the trails will match the width and materials of the Brambleton trails, and that they will connect to the Brambleton trails. I further suggest that the trails be constructed within a public access easement, and that it be stated that the trails will be maintained by the homeowners association.
14. In further regard to proffer III.B., I note that a large percentage of what is shown as "Prop Trail" on Sheet 8, which I assume means "proposed trail" lies off-site from the Property, and is actually located on the property of the Brambleton Group, LLC. I suggest that the applicant address how they intend to provide the proposed trails on this off-site property.
15. In regard to proffer IV, Transportation, generally, I note that there are no provisions included for the dedication of right of way or for construction of improvements to Route 659 Relocated. I urge staff to determine if adequate right of way exists for this roadway, and whether the proffering of a lump sum contribution towards roadways in lieu of frontage improvements is acceptable.
16. In regard to proffer IV.A.1., in the sixth line thereof, I suggest that the word "with" be changed to "provided". Additionally, in the seventh line of the proffer, I suggest that the phrase "it shall be dedicated" be inserted prior to the phrase "in conjunction".
17. In further regard to proffer IV.A.1., in the last sentence thereof, I note that there is a provision for a public access easement for the multi-purpose trail. I suggest that this provision be moved so as to be in proffer III.B., which addresses the provision of the multi-purpose trail.
18. In regard to proffer IV.A.2., I note that the applicant has proposed to construct four lanes of Route 621 Relocated "across the Property" from the "eastern" boundary east to Route 659 Relocated. If the applicant constructs Route 621 Relocated from their eastern boundary to Route 659 Relocated, they will not be

going "across the Property", but will be constructing only a small little piece of Route 621 Relocated across off-site property. It may be that the applicant intended to reference the western boundary of the Property. If so, I suggest that this be clarified.

19. In further regard to proffer IV.A.2., concerning the construction of Route 621 Relocated, I note that portions of such road, between the western boundary and Route 659 Relocated, are off-site. I suggest that the applicant clarify their intent in regard to providing the off-site right of way necessary to complete their proposed improvements.
20. In further regard to proffer IV.A.2., concerning the construction of Route 621 Relocated, I note that Sheet 7 contains a note which states "Existing Evergreen Mills Road To Be Vacated In Cross Hatch Area". I question what steps the applicant intends to undertake to ensure that this vacation occurs.
21. In regard to proffer IV.A.3., I note that the applicant has indicated the intent to construct turn lanes where "desired by the Applicant for access to the Property". I have never seen such a provision that allows for an applicant to decide where turn lanes are to be provided. I suggest that staff review this for acceptability.
22. In further regard to proffer IV.A.3., in the third line thereof, I note that the applicant states that the turn lanes "if required" shall be bonded. However, as the applicant has stated that they intend to construct turn lanes "if desired", this language would not require bonding of turn lanes that the applicant desires to construct, but which are not required. I suggest that such "desired" turn lanes should also be bonded.
23. In regard to proffer IV.B., I note that the applicant proposes to make a single lump sum contribution to the existing Brambleton Transportation Improvements Trust Fund in lieu of any capital facilities, public transit or regional transportation contributions. I urge staff to review the acceptability of such proposal.
24. In regard to proffer V.A., in the eleventh and twelfth lines thereof, I suggest that the phrase "fire and/or rescue service to the Property are no longer provided by an incorporated volunteer company" be changed to "fire and rescue services to the Property are no longer provided by incorporated volunteer companies".
25. In regard to proffer V.B., in the tenth line thereof, I suggest that the phrase "fire and/or rescue service to the Property is no longer provided by an incorporated volunteer company" be changed to "fire and rescue services to the Property are no longer provided by incorporated volunteer companies".

26. In regard to proffer VI.A.1., in the first line thereof, the applicant asserts the intention to provide a tree save area in the location shown on the CDP. Sheet 8 contains no such tree save area designation. Sheet 7 appears to designate a tree save area, but nothing in the legend indicates exactly what notation marks a tree save area. I suggest that the location of the tree save area be clarified.
27. In further regard to proffer VI.A.1., concerning the tree save area, I suggest that the covenant proposed to be placed in the homeowners association documents also specify that such covenant cannot be changed without the consent of the County.
28. In regard to proffer VII.A., in the second and third lines thereof, I suggest that the phrase "draft documents for the establishment of the Home Owners Association ('HOA') shall be submitted" be changed to "draft documents for either the establishment of a Home Owners Association ('HOA') for the Property or for the inclusion of the Property into an existing community's homeowners association shall be submitted".
29. In further regard to proffer VII.A., in the fourth line thereof, I suggest that the phrase ", or the Property shall be annexed into an existing community's homeowners association," be inserted prior to the phrase "prior to approval".
30. In regard to proffer VII, generally, whenever there is a reference to an "existing community's HOA", I suggest that this be changed to "existing community's homeowners association" so as to not confuse this term with the term of art "HOA" created in proffer VII.A.
31. In regard to proffer VIII., in the third line thereof, I suggest that the term "HOA" be changed to "homeowners association".
32. These proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the Board of Supervisors.